Single Bench (3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

W.P. No. 4226 of 2004

PETITIONER Komal Chand Koshale, S/o. Late Phoolchand Koshale, aged about 37 years, R/o.Bhatapara Halka Patwari No. 14 A – Present Posting Place Balouda Bazar, District – Raipur (C.G.)

VERSUS

RESPONDENTS 1) State of Chhattisgarh
Through Secretary Revenue Department,
D.K.S. Bhawan, Raipur

2) Collector Raipur,
District Raipur

3) Sub Divisional Officer,
Balouda Bazar, District – Raipur

4) Tahseeldar, Balouda Bazar
District – Raipur

5) Tejpal Dubey, S/o. Not Known,
Patwari Halka No.9 Arjuni,
Tahsil – Balouda Bazar,
District – Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226 & 227 OF CONSTITUTION OF INDIA

The Petitioner most respectfully states as under: -

1) **Particulars of the Petitioner:-**

Particulars of the petitioner are same as above in the cause title.

(69)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..W.P.No.4226/.... **सन् 2004**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	02.09.2005 Mrs. Hamida Siddique, learned counsel for the petitioner. Mr. Akhil Agrawal, learned Panel Lawyer for the State of Chhattisgarh. Mr. Raja Sharma, learned counsel for respondent No. 5. Learned counsel for the petitioner submits that by order dated 31.07.2004 (Anneuxre P-2) the petitioner was transferred from Tehsil Bhatapara to Patwari Halka No.10, Tehsil Rajim. Thereafter, by order dated 13.08.2004 (Annexure P-3) the petitioner was transferred again from old place of posting Patwari Halka No.22, Bhatapara to Patwari Halka No.7, Bhatapara. Again by order dated 17.08.2004 (Annexure P-8), transfer order was amended and the petitioner was transferred to Patwari Halka No.14-A, Baloda Bazar. Thereafter, the transfer order dated 17.08.2004 (Annexure P-8) was again amended on 20.10.2004 (Annexure P-1) whereby the petitioner was firstly transferred from Patwari Halka No.22 Bhatapara to Patwari Halka No.14-A Baloda Bazar. After finding that one Shri Tejpal Dubey / respondent NO.5 was already working at Patwari Halka No.14-A, Baloda Bazar, the petitioner was transferred to Patwari Halka 32, Revenue Circle, Tehsil Baloda Bazar. It is further submitted by the learned counsel for the petitioner that the petitioner had already joined Patwari Halka No.14-A Baloda Bazar. Admittedly there are several transfer orders passed by the administration. It appears that the respondents 1 to 4 have passed these transfer orders without applying their mind. There should be some certainty of posting and place of working. Though it is true, the transfer is an incidence of service and the employer has right to transfer an	

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XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No.4226/ **सन् 200** 6

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	employee in the public interest but it appears in the present case, the Government has passed several orders without looking into either administrative exigency or inconvenience caused to the petitioner. Since it is a transfer order, I am not inclined to interfere with the present petition. However, the respondents are directed to decide the representation of the petitioner sympathetically keeping in view the certainty of service and convenience of the petitioner within a period of four weeks from the date of receipt of the representation, if any, made by the petitioner. In view of the foregoing, the petition is disposed of. Consequently, all pending applications also stand disposed of. Sd/- Satish K. Agnihotri Judge	

Sarma